

August 15, 2003

MR'S ADVISORY TO SHIPPING No. A-28-2003

TO: All Steamship Agents, Owners, and Operators

SUBJECT: Modification of Panama Canal Authority Navigation Regulation Covering Panama Canal Shipboard Oil Pollution Emergency Plans

The purpose of this advisory is to inform that a new Section Four, containing articles 141A, 141B, 141C and 141D, was added to Chapter IX of the Regulation on Navigation in Panama Canal Waters, as well as a new Section Four to the Annex of same regulation, containing articles 141A, 141B and 141C.

The new Section Four, Vessel Contingency Plans for Oil Spills in Panama Canal Waters, becomes effective January 1, 2004. This section contains the rules and procedures that establish the obligations, responsibilities, and actions of vessels entering Panama Canal Waters, including the requirement for transiting vessels to have Contingency Plans for the prevention and response to oil spills.

Canal users are hereby encouraged to begin taking the necessary steps to comply with the deadlines of this regulation and to start submitting Contingency Plans for revision by the ACP.

The new Section Four consists of the following articles:

**"Section Four
Vessel Contingency Plans for Oil Spills in Panama Canal Waters**

Article 141A: In addition to the requirements specified in Article 41 of this regulation, vessels approaching Canal Waters shall provide the following documents for their review:

- a. A copy of the Panama Canal Shipboard Oil Pollution Emergency Plan for Canal Waters, prepared specifically for the vessel (PCSOPEP).
- b. A copy of a valid International Oil Pollution Prevention Certificate.
- c. A copy of the Shipboard Oil Pollution Emergency Plan (SOPEP), Annex I, MARPOL.
- d. A copy of the Shipboard Marine Pollution Emergency Plan (SMPEP), Annexes II and III, MARPOL.



The PCSOPEP shall be provided no less than 96 hours in advance of the vessel's arrival in Canal Waters for its initial review, and shall be prepared as specified in the annex.

The Authority may inform the vessel concerning its comments on the PCSOPEP prior to or upon arrival of the vessel in Canal Waters.

Article 141 B: In the event of an oil spill in Canal waters, the vessel involved shall have the primary responsibility of implementing its PCSOPEP immediately, as specified in the annex.

Notwithstanding the above, the Authority may intervene to mitigate the accident at the expense of the vessel, its owner, operator, or party that generated the spilled cargo or substance and, at its discretion, shall instruct the vessel, through its master or officer aboard, or the representative who has identified himself as such, to notify the oil spill removal organization (OSRO) hired by the vessel, owner, or operator of the spilled cargo or substance, to intervene immediately to mitigate the emergency and conduct the necessary cleanup tasks.

Article 141 C: Vessels shall ensure the effectiveness of its PCSOPEP, as established in the annex.

Article 141 D: Failure to comply with the rules herein shall constitute an administrative violation of Canal navigation safety rules, punishable under the provisions of the Organic Law of the Panama Canal Authority and Chapter X of this regulation."

The new Section Four added to the Annex of Chapter IX to the Regulation on Navigation in Panama Canal Waters, incorporates the following articles:

"Section Four Vessel Contingency Plans for Oil Spills in Panama Canal Waters

Article 141A: The Panama Canal Shipboard Oil Pollution Emergency Plan for Canal Waters (PCSOPEP) shall be submitted to the Authority for its review and shall include, as a minimum, the following:

- a. A description of the crew training program for reaction to shipboard and shore installation spill incidents.
- b. A description of measures for the prevention of this specific type of incident in Canal waters and Authority shore installations.
- c. The procedure for notification of such incidents.
- d. The procedure for reacting to this type of incidents.
- e. A description and record of the tests performed on the equipment to be used to react to incidents, both of the vessel and of the oil spill removal organization (OSRO).
- f. Records and results of periodic crew reaction drills, as well as real reactions to previous incidents.

Vessels whose documentation has been previously reviewed and registered with the Panama Canal Authority shall only need to show their record during the routine inspection by ACP officials upon their arrival in Canal waters.

Article 141B: Emergency reaction, according to the PCSOPEP shall:

- a. Conform to the requirements of the Panama Canal Authority Emergency Reaction Plan (Contingency Plan).
- b. Identify the Qualified Person who, on behalf of the vessel's Responsible Party, has full authority to implement cleanup actions in coordination with the Authority, and to initiate or maintain immediate communications between said Person and the Authority.
- c. Identify the oil spill removal organization (OSRO) previously reviewed by the Authority and hired by the vessel, which shall have the necessary personnel and equipment to mitigate an emergency and conduct the appropriate cleanup tasks.

Article 141C: For the purpose of ensuring the effectiveness of the PCSOPEP, vessels shall:

- a. Submit to the Authority for its review any updates and changes to the Reaction Plan. This includes any changes in designation of the Identified Qualified Person responsible and the oil spill removal organization (OSRO).
- b. Maintain available for review by the Authority logs of drills and incidents, reactions to real incidents, and crew training."

The original text of these additions to the Regulation on Navigation in Panama Canal Waters is available at <http://www.pancanal.com/eng/legal/reglamentos/acuerdo65-eng.pdf>.

The attached document, **PCSOPEP and OSRO Requirements in the Panama Canal**, develops the implementation program and procedures for these regulations.

ORIGINAL SIGNED

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[Attachment](#)